

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 12th DAY OF SEPTEMBER 2005, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

| | | |
|----------|-------------------------|----------------------------------|
| PRESENT: | Gary D. Creed | -Chair |
| | Steve L. Spradlin | -Vice Chair |
| | Doug Marrs | -Supervisors |
| | Annette S. Perkins | |
| | James D. Politis | |
| | B. Clayton Goodman, III | -County Administrator |
| | L. Carol Edmonds | -Assistant County Administrator |
| | Martin M. McMahon | -County Attorney |
| | T.C. Powers | -Planning Director |
| | Robert C. Parker | -Public Information Officer |
| | Vickie L. Swinney | -Secretary, Board of Supervisors |
| ABSENT: | Mary W. Biggs | -Supervisors |
| | John A. Muffo | |

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Personnel

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. Blacksburg High School Stadium
2. Bethel School
3. Falling Branch Corporate Park
4. Elliston/Lafayette Industrial Park

- (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business= or industry=s interest in locating or expanding its facilities in the community.

1. Prospective Business or Industry

The vote on the foregoing motion was as follows:

| | | |
|--------------------|------------|---------------|
| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
| Doug Marrs | None | Mary W. Biggs |
| Steve L. Spradlin | | John A. Muffo |
| Annette S. Perkins | | |
| James D. Politis | | |
| Gary D. Creed | | |

OUT OF CLOSED MEETING

On a motion by James D. Politis, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

| | | |
|--------------------|------------|---------------|
| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
| James D. Politis | None | Mary W. Biggs |
| Annette S. Perkins | | John A. Muffo |
| Steve L. Spradlin | | |
| Doug Marrs | | |
| Gary D. Creed | | |

CERTIFICATION OF CLOSED MEETING

On a motion by James D. Politis, seconded by Steve L. Spradlin and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Doug Marrs
Steve L. Spradlin
Annette S. Perkins
James D. Politis
Gary D. Creed

NAYS

None

ABSENT DURING VOTE

Mary W. Biggs
John A. Muffo

ABSENT DURING MEETING

Mary W. Biggs
John A. Muffo

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATION

Virginia Department of Transportation

David Clarke, Resident Engineer, updated the Board of Supervisors on road issues. Mr. Clarke reported that the joint VDOT and Montgomery County's Six Year Secondary Road Improvement Plan public hearing is scheduled for Tuesday, October 11, 2005. Also, the Interstate and Primary Roads Improvement Plan public hearing is scheduled for Tuesday, September 27, 2005 at the Salem Civic Center. Mr. Clarke stated this would be the time to request improvements to the County's primary roads, such as Prices Fork and Route 8 in Riner.

PUBLIC ADDRESS

Dennis Brooks addressed the Board about the non-state maintained portion of Flick Drive. Mr. Brooks pointed out he has been before the Board several times over the past few months about this issue and will continue to come before the Board as many times as it takes in order to get this road paved.

Ann Hess, Chair of the Montgomery County Social Services Board, addressed the Board concerning the disaster relief efforts in Montgomery County for the people in the gulf coast that were affected by Hurricane Katrina. Ms. Hess introduced Darrel Clowes, Red Cross Disaster Chair, and Donald Neace, State Minister for the Church of God in Virginia. Ms. Hess reported that the Greater Montgomery Hurricane Response group was formed to address the local response for evacuees from Hurricane Katrina. The Greater Montgomery Hurricane Response group is working to provide services ranging from health care, mental health counselors, temporary and long-term housing assistance, financial advisors, and employment.

Mr. Clowes reported that the Red Cross currently has registered approximately sixty people in Montgomery County. These families are here because they have family members in the area and chose to relocate here. The evacuees that are without transportation that are being moved to Fort Pickett will likely be moved throughout the state in the upcoming weeks. They are to be processed at Fort Pickett and then transported to areas that have volunteered to house the evacuees. Mr. Clowes stated that the Church of God in Virginia, owner of Camp Christi and located in Montgomery County, is offering the use of their camp to provide temporary housing for up to 195 evacuees.

David Neace explained that Camp Christi is prepared to accept up to 195 evacuees. They will provide temporary housing and provide three meals a day. The Montgomery County community, business, and industries have stepped forward in a tremendous way with their generous donations to Camp Christi to help these evacuees.

The Board of Supervisors commended Mr. Neace and the Church of God for providing Camp Christi for temporary housing. They also thanked Ms. Hess and Mr. Clowes and all the other agencies for their part in helping evacuees that are expected to come to Montgomery County.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously, the Consent Agenda dated September 12, 2005 was approved.

The vote on the foregoing motion was as follows:

| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|--------------------|------------|---------------|
| James D. Politis | None | Mary W. Biggs |
| Annette S. Perkins | | John A. Muffo |
| Steve L. Spradlin | | |
| Doug Marrs | | |
| Gary D. Creed | | |

Approval of Minutes

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously, the minutes dated July 24, August 8, and August 22, 2005 were approved.

R-FY-06-32 SIX-YEAR SECONDARY ROAD IMPROVEMENT PLAN SCHEDULE JOINT PUBLIC HEARING WITH DEPARTMENT OF TRANSPORTATION

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules a joint public hearing with the Virginia Department of Transportation (VDOT) on Tuesday, October 11, 2005 at 7:15 p.m., or as soon after, in the Board Chambers, Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia to hear citizens' comments on the proposed **Six Year Secondary Road Improvement Plan** for Montgomery County for Fiscal Years 2006/07 through 2011/12 and on the establishment of priorities for the 2006-2007 budget years. Rural Addition requests will also be received at this public hearing.

BE IT FURTHER RESOLVED, That the Virginia Department of Transportation will assure proper advertising of said public hearing.

A-FY-06-26
SHERIFF
STRATEGIC TECHNOLOGY PLAN

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

| | | |
|-----|---------------------------------|----------|
| 140 | Information Management Division | \$33,000 |
|-----|---------------------------------|----------|

The source of the funds for the foregoing appropriation is as follows:

| | | |
|------------------------|---------------------------|----------|
| <u>Revenue Account</u> | | |
| 451203 | Undesignated Fund Balance | \$33,000 |

Said resolution appropriates funding from monies remaining at the end of FY 05 to cover the cost of a Strategic Technology Plan for the Sheriff's Office.

A-FY-06-27
SHERIFF
RECOVERED COSTS

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

| | | |
|-----|----------------------|----------|
| 320 | Sheriff – Comp Board | \$11,171 |
|-----|----------------------|----------|

The sources of the funds for the foregoing appropriation are as follows:

| | | |
|------------------------|----------------------|-----------------|
| <u>Revenue Account</u> | | |
| 441101 | Insurance Recoveries | \$ 7,400 |
| 419108 | Recovered Costs | <u>\$ 3,771</u> |
| | Total | \$11,171 |

Said resolution appropriates recovered costs from insurance and overtime worked by deputies.

A-FY-06-28
GIS – TRANSFER FROM
SHERIFF WIRELESS 911 FUNDS

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

| | | |
|-----|------------------|-----------|
| 320 | Sheriff - County | (\$3,600) |
|-----|------------------|-----------|

TO:

| | | |
|-----|---------------------|---------|
| 140 | GIS Capital Project | \$3,600 |
|-----|---------------------|---------|

Said resolution transfers appropriated funds from the Sheriff's Wireless 911 department to the GIS Capital Project department, at the Sheriff's request.

A-FY-06-29
SCHOOL OPERATING FUND
CARRY-FORWARD ENCUMBRANCES

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

| | |
|-----------------------------------|------------------|
| School Operating | |
| 562000 Admin, Attendance, Health | \$ 3,271 |
| 564000 Operations and Maintenance | \$ 71,070 |
| 563000 Transportation | <u>\$256,138</u> |
| | \$330,479 |

The source of funds for the foregoing appropriation is as follows:

Revenue Account:

| | | |
|--------|--------------|-----------|
| 451204 | Fund Balance | \$330,479 |
|--------|--------------|-----------|

Said resolution re-appropriates monies supporting the balances of outstanding purchase orders for the Schools.

A-FY-06-30
SCHOOL OPERATING FUND
CARRYOVER OF GRANT BALANCES

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

| | | |
|------------------|-------------|-----------|
| School Operating | | |
| 561000 | Instruction | \$105,586 |

The source of funds for the foregoing appropriation is as follows:

| | | |
|-------------------------|--------------|-----------|
| <u>Revenue Account:</u> | | |
| 451204 | Fund Balance | \$105,586 |

Said resolution appropriates unspent school operating funds received from grant funds which were remaining at June 30, 2005.

R-FY-06-33
NEW RIVER VALLEY COMMUNITY
SERVICES BOARD
PERFORMANCE AGREEMENT FOR FY 2005-2006

On a motion by Steve L. Spradlin, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia acknowledges receipt of the New River Valley Community Services Board Performance Contract for Fiscal Year 2005-2006.

FURTHER BE IT RESOLVED, The Montgomery County Board of Supervisors makes no comment regarding the performance contract for the New River Valley Community Services Board for Fiscal Year 2005-2006.

OLD BUSINESS

ORD-FY-06-05
AN ORDINANCE AMENDING THE ZONING
CLASSIFICATION OF APPROXIMATELY
19.0383 ACRES AND 28.6827 ACRES
FROM AGRICULTURE (A-1) TO RURAL-RESIDENTIAL (R-R)
R. DOUGLAS AND KATHY BUNN

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 19.0383 acres (Tax Parcel No. 104-A-75E, Account ID# 120045) and 28.6827 acres (Tax Parcel No. 104-A-75, Account ID# 002779) are hereby amended and rezoned from the zoning classification of Agriculture (A-1) to Rural-Residential (R-R) without acceptance of the property owner's proffered conditions dated August 21, 2005.

This action was commenced upon the application of Roy Douglas and Kathy Bunn.

The two properties are located on the south side of Mud Pike (Rte. 666) near the Seven Mile Tree Road (Rte. F-059) intersection and are identified as the 19.0383 acre western parcel (Tax Parcel No. 104-A-75E, Acct ID# 120045) and the 28.6827 acre eastern parcel (Tax Parcel No. 104-A-75, Acct ID# 002779) in the Riner Magisterial District.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|--------------------|------------|---------------|
| Steve L. Spradlin | None | Mary W. Biggs |
| Annette S. Perkins | | John A. Muffo |
| Doug Marrs | | |
| James D. Politis | | |
| Gary D. Creed | | |

NEW BUSINESS

R-FY-06-34 MONTGOMERY COUNTY VILLAGE TRANSPORTATION LINKS PLAN GRANT AGREEMENT

On a motion by James D. Politis, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia by Resolution of February 28, 2005 (R-FY-05-157) authorized the submission of an application for State Transportation Planning Grant Pilot Program (STPGP) funds; and

WHEREAS, The New River Valley Planning District Commission (NRVPDC), as the eligible entity, did apply for STPGP funds for Montgomery County through the Virginia Department of Transportation (VDOT); and

WHEREAS, NRVPCDC / Montgomery County was successful in receiving STPGP grant funds to be used in the preparation of Village Transportation Links (VITL) Plans for alternative transportation routes within village areas as well as routes linking villages to nearby towns; and

WHEREAS, An Agreement between the NRVPCDC and Montgomery County is necessary to govern the responsibilities of the two parties in carrying out the VITL project.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby enters into an Agreement dated September 12, 2005 and attached hereto, with the New River Valley Planning District Commission for Utilization of State Transportation Planning Grant Pilot Program (STPGP) in the Preparation of Montgomery County Village Transportation Links (VITL) Plans.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby authorizes B. Clayton Goodman, III, County Administrator, to sign said agreement on behalf of the Board of Supervisors.

The vote on the foregoing resolution was as follows:

| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|--------------------|------------|---------------|
| Annette S. Perkins | None | Mary W. Biggs |
| Doug Marrs | | John A. Muffo |
| James D. Politis | | |
| Steve L. Spradlin | | |
| Gary D. Creed | | |

BOARD MEMBERS' REPORTS

Supervisor Spradlin reported the Montgomery County Sheriff's Office held a fundraiser last week in order to help the public safety personnel in the Gulf Coast who are working in the aftermath of Hurricane Katrina. Lt. Brad St.Clair, Montgomery County Sheriff's Office, reported that due to the generosity of the citizens, business, and industry in the County, the Sheriff's Office received \$15,000 - \$20,000 in donations for uniforms, clothing, shoes, and personal hygiene products. The public safety personnel also were victims of Hurricane Katrina and 90% lost everything they had. They are working 24 hours a day with no change of clothing. Lt. St. Clair thanked everyone for their help.

Supervisor Marrs reported there is a Western Virginia Regional Jail Authority Human Resource Committee meeting r scheduled for Wednesday, September 14, 2005.

Supervisor Politis asked that the Board of Supervisors request VDOT to conduct a speed study on Rt. 8 near Old Rough Road (SR 616) to consider extending the 45 mph speed limit just past Old Rough Road. Supervisor Politis explained that the 45 mph speed zone ends right at this intersection and a 55 mph speed limit sign is posted. He feels that if the 45 mph speed zone is extended it would provide additional safety to the residents who try to merge onto Rt. 8 from Old Rough Road.

R-FY-06-35
SPEED STUDY REQUEST
RT. 8 NEAR OLD ROUGH ROAD (SR 616)

On a motion by James D. Politis, seconded by Doug Marrs and carried unanimously,

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia has expressed concerns relative to conditions and safety on State Route 8 near Old Rough Road (SR 616); and

WHEREAS, Route 8 is a high traffic road with high population growth along the Route 8 corridor.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby requests the Virginia Department of Transportation to conduct a speed study on a portion of Route 8 near Old Rough Road (SR 616) to consider extending the 45 mph speed limit south of Old Rough Road (SR 616) by another 0.10 miles.

The vote on the foregoing resolution was as follows:

| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|--------------------|------------|---------------|
| Steve L. Spradlin | None | Mary W. Biggs |
| Annette S. Perkins | | John A. Muffo |
| Doug Marrs | | |
| James D. Politis | | |
| Gary D. Creed | | |

Supervisor Perkins acknowledged several students from Christiansburg High School that attended tonights Board meeting.

ADJOURNMENT

On a motion by James D. Politis, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, September 26, 2005 at 6:00 p.m.

The vote on the foregoing motion was as follows:

| <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> |
|--------------------|------------|---------------|
| Doug Marrs | None | Mary W. Biggs |
| Steve L. Spradlin | | John A. Muffo |
| Annette S. Perkins | | |
| James D. Politis | | |
| Gary D. Creed | | |

The meeting adjourned at 8:15 p.m.

APPROVED: _____ ATTEST: _____
Gary D. Creed B. Clayton Goodman, III
Chair County Administrator